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**FLETCHER YODER**

A Professional Corporation

Attorneys at Law

7915 FM 1960 West, Suite 330  
Houston, Texas 77070Post Office Box 692289  
Houston, Texas 77269-2289Telephone (281) 970-4545  
Facsimile (281) 970-4503**Facsimile Transmission**

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## NOTES/COMMENTS:

**Subject: U.S. Serial No. 10/796,578; filed March 8, 2004  
Amendment filed October 10, 2005**

Attached herewith is a duplicate copy of the Response and Amendment filed on October 10, 2005, and received at the U.S. Patent Office on October 14, 2005.

**Contact Examiner Tsai immediately upon receipt.**

**CONFIDENTIALITY NOTE**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Clark R. Baker Jr.

Serial No.: 10/796,578

Filed: March 8, 2004

For: PULSE OXIMETER WITH SEPARATE  
ENSEMBLE AVERAGING FOR  
OXYGEN SATURATION AND HEART  
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Group Art Unit: 2857

Examiner: Carol S. W. Tsai

Atty Docket: TYHC:0052/FLE  
P0427R (009103-022700US)Mail Stop Amendment  
Commissioner for Patents  
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37 C.F.R. 1.8

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October 10, 2005

Date

  
Michael G. Fletcher

Sir:

**RESPONSE AND AMENDMENT**

In response to the Official Action mailed on April 12, 2005, Applicant respectfully requests reconsideration of the above-identified application in view of the amendments and remarks set forth below.